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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Application Number	10/026,331
Filing Date	December 21, 2001
First Named Inventor	Yasumichi HITOSHI et al.
Group Art Unit	1641
Examiner Name	To Be Assigned
Attorney Docket Number	021044-001310US

Total Number of Pages in This Submission

4

## ENCLOSURES (check all that apply)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Annette S. Parent	Reg. No. 42,058
Signature		
Date	July 23, 2002	

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By: *Maranda J. Goff*



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yasumichi HITOSHI et al.

Application No.: 10/026,331

Filed: December 21, 2001

For: MRE11: MODULATION OF  
CELLULAR PROLIFERATION

Examiner: To Be Assigned

Art Unit: 1641

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and reference cited is prior art merely because it is in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

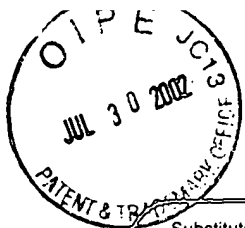
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Respectfully submitted,

  
Annette S. Parent

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/026,331
Filing Date	December 21, 2001
First Named Inventor	Yasumichi HITOSHI et al.
Art Unit	1641
Examiner Name	To Be Assigned
Attorney Docket Number	021044-001310US

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**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	FUKUDA, T. et al. "Alterations of the Double-strand Break Repair Gene MRE11 in Cancer," <i>Cancer Res.</i> , January 1, 2001, pp. 23-26, Vol. 61.	
	2	HOPFNER, K. et al. "Structural Biochemistry and Interaction Architecture of the DNA Double-strand Break Repair MRE11 Nuclease and RAD50-ATPase," <i>Cell</i> , May 18, 2001, pp. 473-485, Vol. 105.	
	3	KIM, K. K. et al. "Mouse RAD50 has Limited Epitopic Homology to p53 and is Expressed in the Adult Myocardium," <i>J. Biol. Chem.</i> November 15, 1996, pp. 29255-29264, Vol. 271, No. 46.	
	4	LOMBARD, D. B. AND GUARENTE, L. "Nijmegen Breakage Syndrome Disease Protein and MRE11 at PML Nuclear Bodies and Meiotic Telomeres," <i>Cancer Res.</i> , May 1, 2000, pp. 2331-2334, Vol. 60.	
	5	PAULL, T. T. AND GELLERT, M. "The 3' to 5' Exonuclease Activity of MRE11 Facilitates Repair of DNA Double-strand Breaks," <i>Molecular Cell</i> , June 1998, pp. 969-979, Vol. 1.	
	6	PETRINI, J. H. L. "DNA Repair '99: The Mammalian MRE11-RAD50-NBS1 Protein Complex: Integration of Functions in the Cellular DNA-Damage Response," <i>Am. J. Hum. Genet.</i> , 1999, pp. 1264-1269, Vol. 64.	
	7	STEWART, G. S. et al. "The DNA Double-Strand Break Repair Gene hMRE11 is Mutated in Individuals with an Ataxia-Telangiectasia-like Order," <i>Cell</i> , December 10, 1999, pp. 577-587, Vol. 99.	

Examiner  
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Date  
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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